

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Amendment of Section 73.622(i),	)	MB Docket No. 08-155
Final DTV Table of Allotments,	)	RM-11479
Television Broadcast Stations.	)	
(Honolulu, Hawaii)	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: October 3, 2008**

**Released: October 7, 2008**

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a petition for rulemaking filed by HITV License Subsidiary, Inc. (“HITV”), the licensee of stations KGMB(TV), analog channel 9 and KGMB-DT, pre-transition DTV channel 22, Honolulu, Hawaii. The station has been assigned DTV channel 9 for post-transition use and HITV requests the substitution of the station’s pre-transition DTV channel 22 for channel 9 at Honolulu. HITV filed comments. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 22 for DTV channel 9. HITV acquired the station after DTV channel 9 was selected by the previous licensee. HITV believes that replication of the existing service area on channel 9 may not be possible, given the fact that two other stations in the market have elected channels 8 and 10 for post-transition use at a different site than KGMB-DT. HITV intends to co-locate its DTV channel 22 facility with the adjacent-channel station in the market, on channel 23, which will minimize interference.

3. DTV channel 22 can be substituted for DTV channel 9 for post-transition use as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) of the Commission’s rules, at coordinates 21-24-3 N. and 158-06-10 W.<sup>2</sup> In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission’s rules with the following specifications:

City and State	DTV Channel	DTV Power	Antenna HAAT	DTV Service Pop.
		(kW)	(meters)	(thous.)
Honolulu, Hawaii	22	40	666	795

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r)

<sup>1</sup> *Honolulu, Hawaii*, DA 08-1734 (released July 28, 2008).

<sup>2</sup> HITV’s proposed facility is 11.1 kilometers from the Commission’s monitoring station at Waipahu, Hawaii.

and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective 30 days after the date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Honolulu, Hawaii	8,*10, *11, 19, 22, 23, 27 31, 35, 40, *43

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, HITV License Subsidiary, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV channel 22 in lieu of DTV channel 9 for post-transition use.

6. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

8. For further information concerning the proceeding listed above, contact Joyce L. Bernstein, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau